

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 161 in Fig. 10. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

2. Claim 279 is objected to because of the following informalities: missing period at end of the claim. Appropriate correction is required.
3. Claim 301 is objected to because of the following informalities: typographical error, the “33” shown in front actual claim, and missing semi-colon at end of first phrase. Appropriate correction is required.
4. Claim 333 is objected to because of the following informalities: missing semi-colon at end of phrase. Appropriate correction is required.

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5. Claim 334 is objected to because of the following informalities: typographical error, the claim reads ".....storing information information related....." has been interpreted as --....storing information related.....---. Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

7. Claims 267-268, 287-293 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The limitation of "wherein said display is arranged to provide one at least of: a) vertically extending and separately controllable pixels, wherein: pixels at a first vertical position are for association with a level for adding one of the beverage ingredients for a mixed beverage and pixels at a second vertical position located above the first position are for association with a level for adding another beverage ingredient for the mixture, and the level for the second of the two ingredients is dependent on the amount of the first of the two ingredients already in the container; b) the result of a game of chance received by wireless; c) results of a sporting game received by wireless" was not disclosed in the original specification.

8. Claims 318-320 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not

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described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claimed limitation of "a plurality of persons.....: activation of a first indicator distinctly targeted for the first said person from the second person and activation of a second said indicator distinctly targeted for the second person from the first person". These limitations were not disclosed in original specification.

9. Claim 331 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claimed limitation of "plural resolution mean" was not fully described in the specification, and it is not complied with "means for" function format.

10. Claims 335-336 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claimed limitation of "showing a representation of the spatial relationship of one at least of said plurality of storage locations from at least one other of said plurality" was not disclosed in original specification. Applicant disclosed "a graphical representation" [0145-0151]. Therefore, the "spatial relationship" is considered as new matter.

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12. Claim 311 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claimed limitation of “said container by proximal illumination from one at least adjacent containers” where as previous claims states “at least two containers distinct from each other.....”. Therefore, the said container is undetermined.

13. Claim 312 recites the limitation "the stored ingredient to a container for preparing a mixed beverage that includes said ingredient" in “claims 227 and 311”. There is insufficient antecedent basis for this limitation in the claim.

14. Claims 321-325 recites the limitation "first indicator second indicator" in claim 314, wherein the claim 314 only discloses indicator as singular not plural. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

15. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

16. Claims 266, and 269-286 are rejected under 35 U.S.C. 102(b) as being anticipated by LeBlanc (US Patent # 6,375,043 B1).

Consider claim 266, LeBlanc clearly shows and discloses an electrically operable device for use with a portable container, said device including one at least electronic components, said

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container for receiving at least two consumable ingredients for use in preparing a mixture, each ingredient from their respective storage containers, wherein: a) the device: i) responds to information related to the amount of the first and second ingredients for use in preparing a mixture, and ii) is operatively coupled to computer readable memory for storing information related to one at least of the mixture, receiving container, and iii) facilitates measurement of the two ingredients by providing: a signal for measuring the amount of the first ingredient and a signal for measuring the amount of the second ingredient; and b) the first added of the two ingredients is for said measuring in the receiving container after transfer from the associated storage container; and c) the second added of the two ingredient is for said measuring in the receiving container after transfer from the associated storage container, said second added measuring while the receiving container stores the first added ingredient (Column 6 lines 54-65).

Consider claim 269, LeBlanc clearly shows and discloses the electrically operable device, wherein the signal for one at least of: a) the first added ingredient comprises a visible indicator proximal to the receiving container, said indicator at a computer determined vertical position related to a level in the receiving container for the first added ingredient; b) the second added ingredient comprises a visible indicator proximal to the receiving container, said indicator at a computer determined vertical position related to a level in the receiving container for the second added ingredient, said vertical position for the second added ingredient higher than the vertical position for the first added ingredient (Column 5 lines 66-67 and Column 6 lines 1-12).

Consider claim 270, LeBlanc clearly shows and discloses the electrically operable device wherein said visible indicator (23d, Fig. 3) differentially illuminates, approximately at least, said level from a higher level of the container.

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Consider claim 271, LeBlanc clearly shows and discloses the electrically operable device of claim 269 wherein said visible indicator comprises one at least of: a) an indicator located within the receiving container, b) attached to the wall of the container, c) embedded in the wall of the container, d) proximal to the outside of the container (23d, Fig. 3).

Consider claim 272, LeBlanc clearly shows and discloses the electrically operable device, wherein said measuring includes a length of vertically ascending separately illuminable pixels and pixels for measuring the second added ingredient (27, Fig. 3) are vertically higher than those for measuring the first added ingredient (26, Fig. 3).

Consider claim 273, LeBlanc clearly shows and discloses the electrically operable device, wherein the receiving container related information includes one at least of: a) container dimension related information; b) container shape related information; c) container ID (Column 4 lines 45-52).

Consider claim 274, LeBlanc clearly shows and discloses the electrically operable device, wherein a measurement for the second added ingredient is dependent on a measurement for the first added ingredient (Column 6 lines 66-67 and Column 7 lines 1-4).

Consider claim 275, LeBlanc clearly shows and discloses the electrically operable device, wherein a measurement for one of the ingredients is dependent on whether it is the first added ingredient or the second added ingredient (Column 6 lines 66-67 and Column 7 lines 1-4).

Consider claim 276, LeBlanc clearly shows and discloses the electrically operable device, wherein said measuring includes determining one at least of: a) weight of at least the combined first and second ingredient, b) a pressure exerted by at least the combined first and second

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ingredient; c) automatically detected level of at least the combined first and second ingredient (Column 6 66-67 and Column 7 lines 1-4).

Consider claim 277, LeBlanc clearly shows and discloses the electrically operable device, wherein a user audible or visible signal (23d, Fig. 7) indicates when a predetermined said weight, pressure or level is reached (Column 5 lines 66-67 and Column 6 lines 1-12).

Consider claim 278, LeBlanc clearly shows and discloses the electrically operable device, further arranged for one at least of: a) determining the proximal presence or absence of the storage container for one at least of: i) the first ingredient, ii) the second ingredient; b) reading an ID from the receiving container; c) receiving user determined information (Column 6 lines 54-58).

Consider claim 279, LeBlanc clearly shows and discloses the electrically operable device of claim 278 wherein said received includes one at least of: a) voice input, b) information user selected from an electronic display (user interface) (23, Fig. 7), c) information selected using a touch sensitive input (Column 6 lines 59-64).

Consider claim 280, LeBlanc clearly shows and discloses the electrically operable device, wherein said signal facilitates a user determining to stop adding an ingredient to the receiving container (Column 8 lines 31-45).

Consider claim 281, LeBlanc clearly shows and discloses the electrically operable device, wherein the portable container is a drinking glass (user's cup) or a cocktail shaker (Column 6 lines 59-65).

Consider claim 282, LeBlanc clearly shows and discloses the electrically operable device, wherein further coupled by wireless and or wire to electronics for selectively highlighting a

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storage containers of alcoholic beverage from a plurality of other storage containers of alcoholic beverage, wherein the beverage of the selectively highlighted storage container is for transfer to the receiving container (Column 6 lines 54-58).

Consider claim 283, LeBlanc clearly shows and discloses the electrically operable device, wherein said selective highlighting is facilitated by computer processing of stored information related to one at least of type or amount of an alcoholic beverage in the mixture (Column 6 lines 54-58).

Consider claim 284, LeBlanc clearly shows and discloses the electrically operable device, wherein identifying information attached said storage containers is for computer controlled automated reading from said container while stored at one of said plurality of locations (Column 6 lines 54-58).

Consider claim 285, LeBlanc clearly shows and discloses the electrically operable device, wherein said selective highlighting comprises the selective illumination of that proximal to the storage container from one at least adjacent storage locations (Column 5 lines 66-67 and Column 6 lines 1-12).

Consider claim 286, LeBlanc clearly shows and discloses the electrically operable device, wherein the device comprises a plurality of components coupled by one at least of wireless or wired (23a, Fig. 1).

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claims 227-228, 235, 294-301, 305-307, 309, 314-317, 326-327, 329, 332-334, and 337 are rejected under 35 U.S.C. 103(a) as being unpatentable over RSI ID Technologies (herein refer as "Reference U"), and further in view of Baillod et al. (US Patent # 6,641,052 B2) and Zhu (Pub # US 2002/0084911 A1).

Consider claims 227 and 314, Reference U teaches an electrically operable system for use with plural containers of alcoholic beverage, the system comprising: a computer (inherent within RFID system), computer accessible memory (inherent within RFID tag) and a plurality of storage locations operatively a plurality of storage locations operatively (inherent feature within RFID tag: wirelessly) coupled to the computer, each location for storing at least one container of alcoholic beverage, and at least two containers distinct from each other by one at least said characteristics are for storage at distinct storage locations from each other (Figure).

Reference U does not teach each container of alcoholic beverage identifiable by one at least characteristics, wherein: said characteristics include one at least of: name, beverage type, beverage subtype, beverage variety, brand, beverage producer, beverage vineyard or container ID, and the computer controlled selective indication of one at least said storage locations from at least one other said storage locations by the activation of a visible indicator proximal to the selected location compared to one at least of the adjacent storage locations, and an input for receiving information facilitating the computer determining one at least storage locations for said selective indication from a plurality of vacant locations, and activation of the indicator is a

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response to a requirement for the computer to indicate by said activation one at least said storage locations for placement of a container of alcoholic beverage.

In the same field of endeavor, Baillod et al. teaches each container of alcoholic beverage (12, Fig. 1) identifiable by an RFID (18, Fig. 2) embedded within data carrier (14, Fig. 3) by one at least characteristics, wherein: : said characteristics include one at least of: name, beverage type, beverage subtype, beverage variety, brand, beverage producer, beverage vineyard or container ID (Column 2 lines 33-46) for the benefit of authenticating the bottle to prevent one from opening a bottle and substituting the contents.

Furthermore, in the same field of endeavor, Zhu teaches the computer controlled selective indication of one at least said storage locations from at least one other said storage locations by the activation of a visible indicator (27, Fig. 1) proximal to the selected location compared to one at least of the adjacent storage locations [0036], and an input for receiving information facilitating the computer determining one at least storage locations for said selective indication from a plurality of vacant locations, and activation of the indicator is a response to a requirement for the computer to indicate by said activation one at least said storage locations for placement of a proper file [0038] for the benefit of locating the proper articles based on correct RF frequency.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include each container of alcoholic beverage identifiable by one at least characteristics, wherein: said characteristics include one at least of: name, beverage type, beverage subtype, beverage variety, brand, beverage producer, beverage vineyard or container ID, and the computer controlled selective indication of one at least said storage locations from at least one other said storage locations by the activation of a visible indicator proximal to the

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selected location compared to one at least of the adjacent storage locations, and an input for receiving information facilitating the computer determining one at least storage locations for said selective indication from a plurality of vacant locations, and activation of the indicator is a response to a requirement for the computer to indicate by said activation one at least said storage locations for placement of a container of alcoholic beverage as shown in Baillod et al. and Zhu, in Reference U device for the benefit of authenticating the bottle to prevent one from opening a bottle and substituting the contents and of locating the proper articles based on correct RF frequency.

Consider claim 228, Reference U clearly shows and discloses the electrically operable system, wherein the plural containers of alcoholic beverage comprise bottles of wine and said storage locations are arranged: a) as an array of vertically and horizontally extending receptacles each for storing a bottle of wine in a predominantly horizontal orientation, and b) for the computer controlled automated reading of identifying information from a particular bottle at one at least of the receptacles, and c) for associating the read ID with an electrically operable device for selectively highlighting the receptacle storing the bottle coupled to said ID (Page 1).

Consider claim 235, Reference U teaches similar invention.

Reference U does not teach the electrically operable system, wherein the selective highlighting comprises one at least of: i) visible light emitted from the associated storage location; ii) visible light arranged to illuminate part at least of the opening of and or area surrounding the opening of the associated storage location.

In the same field of endeavor, Zhu teaches the selective highlighting comprises one at least of: i) visible light emitted from the associated storage location; ii) visible light arranged to

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illuminate part at least of the opening of and or area surrounding the opening of the associated storage location [0038] for the benefit of providing indication on proper article to the user.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the selective highlighting comprises one at least of: i) visible light emitted from the associated storage location; ii) visible light arranged to illuminate part at least of the opening of and or area surrounding the opening of the associated storage location as shown in Zhu, in Reference U for the benefit of providing indication on proper article to the user.

Consider claims 294 and 295, Reference U clearly shows and discloses the electrically operable system of claim 227 wherein said activation depends on one at least of: a) electrically operable reading of at least one said characteristic from the container prior to said placement(Page 1); b) computer processing of information related to a particular person or said received information is processed to determine one at least storage for selective indication adjacent to one at least other storage locations that share one at least said parameters (Page 1).

Consider claim 296, Reference U teaches a RFID system, wherein each transponder is preprogrammed with a static serial number.

Although, the reference does not specifically discloses the parameters comprise one at least of: a) related to a particular person, b) time the container is for storage, c) type of alcoholic beverage, d) variety of alcoholic beverage, e) vintage of alcoholic beverage, f) brand of alcoholic beverage, g) one at least particular storage locations, h) time the container is for rotation around its long axis. It would have been obvious to include at least one of above parameter in the queries of pre-programmed RFID tag with a static serial number.

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Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the parameters comprise one at least of: a) related to a particular person, b) time the container is for storage, c) type of alcoholic beverage, d) variety of alcoholic beverage, e) vintage of alcoholic beverage, f) brand of alcoholic beverage, g) one at least particular storage locations, h) time the container is for rotation around its long axis as part of it's queries information on the pre-programmed RFID as design choice for the particular application.

Consider claim 297, Reference U teaches similar invention.

Reference U does not teach the electrically operable system further arranged for receiving one at least constraints affecting said selective indication of one at least storage locations.

In the same field of endeavor, Zhu teaches a system further arranged for receiving one at least constraints affecting said selective indication of one at least storage locations [0036] for the benefit of providing indicator for easy access to the proper article.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the system further arranged for receiving one at least constraints affecting said selective indication of one at least storage locations as shown in Zhu, in Reference U device for the benefit of providing indicator for easy access to the proper article.

Consider claim 298, Reference U clearly shows and discloses he electrically operable system, wherein said constraints are one at least of: a) dynamically modified based on one at least of: i) available resources; ii) patterns of insertion of at least one container of alcoholic beverage; iii) patterns of removal of at least one container of alcoholic beverage; iv) location of

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insertion of at least one container of alcoholic beverage; v) location of insertion of at least one container of alcoholic beverage; vi) a preference input by a user; b) user programmable (Page 1).

Consider claim 299, Reference U teaches a RFID system, wherein each transponder is preprogrammed with a static serial number.

Although, the reference does not specifically discloses the parameters comprise one at least of: a) related to a particular person, b) time the container is for storage, c) type of alcoholic beverage, d) variety of alcoholic beverage, e) vintage of alcoholic beverage, f) brand of alcoholic beverage, g) one at least particular storage locations, h) time the container is for rotation around its long axis.. It would have been obvious to include at least one of above parameter in the queries of pre-programmed RFID tag with a static serial number.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the parameters comprise one at least of: a) related to a particular person, b) time the container is for storage, c) type of alcoholic beverage, d) variety of alcoholic beverage, e) vintage of alcoholic beverage, f) brand of alcoholic beverage, g) one at least particular storage locations, h) time the container is for rotation around its long axis as part of it's queries information on the pre-programmed RFID as design choice for the particular application.

Consider claim 300, Reference U clearly shows and discloses the electrically operable system, further arranged for storing information related to the spatial arrangement of at least one said plurality of storage locations relative to at least one other of said plurality of storage locations (see Figure).

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Consider claim 301, Reference U clearly shows and discloses the electrically operable system, further arranged to automatically determine the spatial arrangement of one at least of: a) added storage locations b) current storage locations (see Figure).

Consider claim 305, Reference U clearly shows and discloses the electrically operable system, further arranged for the computer controlled automated reading of identifying information from a container stored at one of said plurality of storage locations (Page 1).

Consider claim 306, Reference U clearly shows and discloses the electrically operable system, further arranged to automatically associate the read identifying information with information for causing the selective indication of the storage location for said container (Page 1).

Consider claim 307, Reference U teach similar invention.

Reference U does not teach the electrically operable system, further arranged to automatically associate information for causing the selective indication of the storage location for the container with part at least of said characteristics information for the container.

In the same field of endeavor, Zhu teaches a system, further arranged to automatically associate information for causing the selective indication of the storage location for the container with part at least of said characteristics information for the container [0036] for the benefit of providing indication to a user for easy access to proper articles.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a system, further arranged to automatically associate information for causing the selective indication of the storage location for the container with part

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at least of said characteristics information for the container as shown in Zhu, in Reference U device for the benefit of providing indication to a user for easy access to proper articles.

Consider claims 309 and 329, Reference U clearly shows and discloses the electrically operable system, wherein the containers are manually placed at a storage location and manually removed from the storage location for subsequent use (Page 1).

Consider claim 315, Reference U clearly shows and discloses the electrically operable system further arranged for the computer controlled automated reading (RFID reader/writer) of identifying information from a container when the container is stored at one of the storage locations (Page 1 Paragraph 3).

Consider claim 316, Reference U clearly shows and discloses the electrically operable system, further arranged for automatically associating the read identifying information with information for causing the selective indication (serial number) of the storage location for said container (Page 1 Paragraph 3).

Consider claim 317, Reference U teaches similar invention.

Reference U does not teach the electrically operable system further arranged to automatically associate information for causing the selective indication of the storage location for the container with part at least of said characteristics information for the container.

In the same field of endeavor, Zhu teaches a system further arranged to automatically associate information for causing the selective indication of the storage location for the container with part at least of said characteristics information for the container [0036] for the benefit of providing indicator to the user for the ease of accessing proper article.

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Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a system further arranged to automatically associate information for causing the selective indication of the storage location for the container with part at least of said characteristics information for the container as shown in Zhu, in Reference U device for the benefit of providing indicator to the user for the ease of accessing proper article.

Consider claim 326, Reference U teaches similar invention.

Reference U does not teach the electrically operable system further comprising a section indicator wherein activation of the section indicator is dependent on one at least associated containers matching part at least of said received information characteristics.

In the same field of endeavor, Zhu teaches a system further comprising a section indicator wherein activation of the section indicator is dependent on one at least associated containers matching part at least of said received information characteristics [0036] for the benefit of providing indicator to user for easy access to proper articles.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a system further comprising a section indicator wherein activation of the section indicator is dependent on one at least associated containers matching part at least of said received information characteristics as shown in Zhu, in Reference U device for the benefit of providing indicator to user for easy access to proper articles.

Consider claim 327, Reference U teaches similar invention.

Reference U does not teach the electrically operable system, wherein said requirement for the computer to activate the indicator is a result of computer controlled rearranging of the location of a stored container.

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In the same field of endeavor, Zhu teaches a system, wherein said requirement for the computer to activate the indicator is a result of computer controlled rearranging of the location of a stored container [0036] for the benefit of providing indicator to user for easy access to proper articles.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a system, wherein said requirement for the computer to activate the indicator is a result of computer controlled rearranging of the location of a stored container as shown in Zhu, in Reference U device for the benefit of providing indicator to user for easy access to proper articles.

Consider claim 332, Reference U clearly shows and discloses the electrically operable system, further arranged for storing information related to the spatial arrangement of at least one said plurality of storage locations relative to at least one other of said plurality of storage locations (see Figure).

Consider claim 333, Reference U teaches the wine cellar comprises a various location.

Although, the reference does not specifically discloses the system automatically determine the spatial arrangement of one at least of: a) added storage locations; b) current storage locations. The reference does disclose the "each RFID transponder is pre-programmed" (Page 1 Paragraph 3).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the system automatically determine the spatial arrangement of one at least of: a) added storage locations; b) current storage locations as part of the pre-

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programmed process, wherein the incorporation of the above limitations, which does not yield any unpredictable results, and these limitation are considered as design choice.

Consider claim 334, Reference U clearly shows and discloses the electrically operable system, further arranged for storing information related to the dimensions of at least one of said containers of alcoholic beverage and for relating this information to one at least of: a) information related to the dimensions of one at least said plurality of storage locations; b) spatial arrangement of one at least said plurality of storage locations relative to at least one other of said plurality of storage locations (Page 1).

Consider claim 337, Reference U clearly shows and discloses the electrically operable system, wherein the plural containers of alcoholic beverage comprise bottles of wine and said storage locations are arranged: a) as an array of vertically and horizontally extending receptacles each for storing a bottle of wine in a predominantly horizontal orientation, and b) for the computer controlled automated reading of identifying information from a particular bottle at one at least of the receptacles, and c) for associating the read ID with an electrically operable device for selectively highlighting the receptacle storing the bottle coupled to said ID (Page 1).

19. Claims 230, 310 and 330 are rejected under 35 U.S.C. 103(a) as being unpatentable over RSI ID Technologies (herein refer as “Reference U”), and further in view of Baillod et al. (US Patent # 6,641,052 B2) and Zhu (Pub # US 2002/0084911 A1) as applied to claim 227 above, and further in view of Rudduck et al. (Pub # US 2005/01900170 A1).

Consider claim 230, the combined references teaches similar invention.

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The combined references do not teach the electrically operable system further arranged to be responsive to one at least of: a) voice; b) user selection of information from an electronic display; c) use of a touch sensitive device.

In the same field of endeavor, Rudduck et al. teaches the electrically operable system further arranged to be responsive to voice [0102 lines 8-16] for the benefit of providing voice input data from potential customer.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include at least of: a) voice; b) user selection of information from an electronic display; c) use of a touch sensitive device as shown in Rudduck et al., in combined device for the benefit of providing voice input data from potential customer.

Consider claims 310 and 330, the combined references teaches similar invention.

The combined reference does not teach the electrically operable system further arranged to respond to an electrically operable device that includes a mobile telephone.

In the same field of endeavor, Rudduck et al. teaches the electrically operable system further arranged to respond to an electrically operable device that includes a mobile telephone (154, Fig. 34) [0108] for the benefit of providing remote notification.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include teaches the electrically operable system further arranged to respond to an electrically operable device that includes a mobile telephone as shown in Rudduck et al., in the combined device for the benefit of providing remote notification.

20. Claim 245 rejected under 35 U.S.C. 103(a) as being unpatentable over RSI ID

Technologies (herein refer as "Reference U"), and further in view of Baillod et al. (US Patent #

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6,641,052 B2) and Zhu (Pub # US 2002/0084911 A1) as applied to claim 227 above, and further in view of Weiss et al. (Pub # US 2002/0017411 A1).

Consider claim 245, the combined references teaches similar invention.

The combined reference does not teach the electrically operable system, wherein user access to remove a stored container from and or to place a container to a storage location is restricted by an electrically operable barrier is opened in response to electrically readable information provided by user.

In the same field of endeavor, Weiss et al. teaches the electrically operable system, wherein user access to remove a stored container from and or to place a container to a storage location is restricted by an electrically operable barrier is opened in response to electrically readable information provided by user [0036] for the benefit of providing restrict access to an unauthorized user.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the electrically operable system, wherein user access to remove a stored container from and or to place a container to a storage location is restricted by an electrically operable barrier is opened in response to electrically readable information provided by user as shown in Weiss et al., in the combined device for the benefit of providing restrict access to an unauthorized user.

21. Claims 308 and 328 are rejected under 35 U.S.C. 103(a) as being unpatentable over RSI ID Technologies (herein refer as "Reference U"), and further in view of Baillod et al. (US Patent # 6,641,052 B2) and Zhu (Pub # US 2002/0084911 A1) as applied to claim 227 above, and further in view of Kirshenbaum et al. (Pub # US 2004/0148117 A1).

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Consider claims 308 and 328, the combined reference teaches similar invention.

The combined reference does not teach the electrically operable system, wherein said containers are sealed containers.

In the same field of endeavor, Kirshenbaum et al. teaches a system, wherein the container are seal container [0036 lines 3-5] for the benefit of preserving the product.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a system, wherein the container are seal container as shown in Kirshenbaum et al., in the combined for the benefit of preserving the product.

Allowable Subject Matter

22. Claims 302-304, 313 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

23. Applicant's arguments, see Remarks, filed 1/20/2010, with respect to Drawings, Specification, Claim Objections, and Claim Rejections under 35 USC 112 first and second paragraph have been fully considered and are persuasive. The Objections of Drawings, Specification, and Claims 257-258, 260-261, 264-265, and 268, and Rejections of Claims 227-256, 259, 262, and 266-267 has been withdrawn.

24. Applicant's arguments with respect to claims 227-262 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

25. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JACK WANG whose telephone number is (571)272-1938. The examiner can normally be reached on M-F 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Bugg can be reached on 571-272-2998. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2612

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/JACK WANG/
Examiner, Art Unit 2612

/George A Bugg/
Primary Examiner, Art Unit 2612